

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 89-417-T - ORDER NO. 90-501 ✓

May 3, 1990

IN RE: Application of Petroleum Express, Inc.,)	ORDER GRANTING
Highway 120, P.O. Box 307, Cliffside,)	MOTION TO COMPEL
NC 28024, for a Class E Certificate of)	RESPONSES TO
Public Convenience and Necessity.)	INTERROGATORIES
)	AND REQUESTS
)	TO PRODUCE

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Motion to Compel Responses to Interrogatories and Requests to Produce (the Motion) filed on March 14, 1990, by Petroleum Express, Inc. (the Applicant), whereby the Applicant seeks an Order of the Commission requiring Fleet Transport Company, Inc., Transport South, Inc., Eagle Transport Corporation, Associated Petroleum Carriers, Milner Super Gas, Inc., Santee Carriers, Inc., Moore Oil Company, Inc., JED Transport, Inc., Kenan Transport Company, Infinger Transportation Company, and Belue Trucking Company (the Intervenor) to make responses to Interrogatories and Requests to Produce having been served and filed herein according to Commission Regulations.

The Motion is based upon allegations that the discovery requests at issue are reasonably calculated to lead to discovery of admissible evidence, are relevant and necessary to preparation of the Applicant's case, and are not directed to privileged matter. The Intervenor has filed no Return to the Motion.

The Commission finds that good cause has been shown by the Applicant why its Motion should be granted.

The Commission further finds that Transport South, Inc. has withdrawn from this proceeding, that Santee Carriers, Inc. has never been a party of record herein, and that, therefore, neither should be effected by the provisions of this Order or any other issued herein.

IT IS THEREFORE ORDERED:


1. That the Motion to Compel Responses to Interrogatories and Requests to Produce filed by the Applicant be, and hereby is, granted.
2. That the Intervenor make responses to the Interrogatories and Requests to Produce having been filed and served in this matter by the Applicant.
3. That the provisions of this Order do not apply to Transport South, Inc. and Santee Carriers, Inc.

May 3, 1990

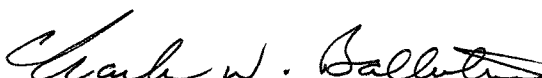
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4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)